IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.74349-M of 2006
Date of Decision:- 05.02.2007

Kapoor Singh ....Petitioner(s)
through
Mr.Jagmohan Ghuman, Advocate

vs.

The Director General of Police, Prisons,
Haryana & anr. ....Respondent(s)
through
Mr.R.D.Sharma, DAG, Haryana.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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SURYA KANT, J.

The petitioner, who is a life convict, is aggrieved at the order dated 18.10.2006 (Annexure P-1) whereby parole for house repairs has been denied to him on the ground that the repairs can be carried out by his three major and married sons.

Somewhat similar stand has been taken in the written statement filed on behalf of the respondents in Court, which is taken on record.

There can be no doubt that if the married sons of the petitioner, are living jointly with him, the house can be got repaired by them and as such the petitioner's request for parole would not fall within the ambit of "sufficient cause" under Section 3(1)(d) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988.

However, if the sons of the petitioner are living separately and have refused to maintain the petitioner's house, the petitioner's request may require re-consideration.

Consequently, this petition is disposed of with liberty to the petitioner to move another application along with sufficient supporting material in order to make out a case that there is none in his family who can carry out the repairs on his house. If any such application is moved by the petitioner, the respondent-Authorities are directed to consider and dispose of the same within a period of two months from the date of its receipt.

February 05, 2007 **(SURYA KANT)**
poonam **JUDGE**